

05-07-04

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Express Mail Label No.

Dated: \_\_\_\_\_

Docket No.: 02828/000G245-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Joseph ABOUUD et al.

Application No.: 09/441,834

Filed: November 17, 1999

For: APPARATUS FOR PROVIDING AN  
ELECTRONIC DISPLAY WITH SELECTABLE  
VIEWING ORIENTATIONS

**RECEIVED**

MAY 10 2004

Customer No.: 07278  
**OFFICE OF PETITIONS**

Art Unit: 2876

Examiner: Not Yet Assigned

**PETITION TO INVOKE THE SUPERVISORY AUTHORITY**

**OF THE COMMISSIONER UNDER 37 C.F.R. § 1.181**

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a petition to invoke the supervisory authority of the Commissioner for matters not otherwise provide for in 37 C.F.R. 1.181.

Applicants respectfully request the reinstatement of the above referenced application.

Applicants have exhausted all other reasonable courses of action to reinstate the above application.

The pertinent facts surrounding the above application are as follows:

- 1) The application was filed on November 17, 1999 without a signed Declaration and without the required fee. A copy of the stamped return post card is attached as Exhibit A.
- 2) Applicants received a Notice of Abandonment mailed December 18, 2000 for failing to replying to a Notice of Missing Parts mailed December 21, 1999.
- 3) Applicants petitioned to Request the Withdrawal of the Notice of Abandonment on January 2, 2001. A copy of the Petition and stamped return postcard is attached as Exhibit B.
- 4) Applicants requested the Status of the Filing Receipt on June 29, 2001.
- 5) Applicants communicated with the USPTO on July 10 and 11, 2001 regarding the status of the application. Applicants were informed by a Ms. Patricia Kim that she would forward the case to an Examiner to consider Applicants' January 2, 2001 petition.
- 6) Applicants mailed a second Status Request on August 27, 2001.
- 7) Applicants received a Status Letter Reply, mailed September 5, 2001, stating that the application was abandoned and the USPTO has the correct mailing address.
- 8) Applicants submitted a Follow-Up Status Request on September 18, 2001, requesting the status of the application and resubmitting the Petition mailed January 2, 2001.
- 9) Applicants received a Status Letter Reply, mailed October 15, 2001, stating that the application was abandoned.
- 10) Applicants communicated with a Ms. Jennifer Omundson of the USPTO on October 24, 2001 and resubmitted the Petition mailed January 2, 2001. Copy of the correspondence

cover sheet and the confirmation of the USPTO receiving the document is attached as Exhibit C.

- 11) Applicants received a Decision of Petition, mailed November 2, 2001, granting Applicants' Petition to withdraw the holding of abandonment. The Decision is attached hereto as Exhibit D.
- 12) Applicants received an Updated Filing Receipt mailed November 2, 2001. The Filing Receipt contained an error. The Filing Receipt incorrectly stated that the Filing Date of the application was November 2, 2001. A copy is attached as Exhibit E.
- 13) Applicants requested a Corrected Filing Receipt to correct the Filing Date to November 17, 1999.
- 14) Applicants received a Corrected Filing Receipt, mailed February 12, 2002.
- 15) Applicants requested the Status of the application on April 1, 2002.
- 16) Applicants contacted Supervisory Patent Examiner Michael Lee on October 21, 2003 to ascertain the status of the Application. Examiner Lee checked the USPTO docketing system and stated that the status of the application was abandoned. However, Examiner Lee also commented that the Decision granting the Applicants' Petition was noted on the application's docket. Further, Examiner Lee commented that he could be of no other assistance.

Therefore given the above, Applicants have exhausted all means by which to reinstate the application by removing the application from abandonment and place the application on the docket for examination.

Applicants submit that no fee is due under 37 C.F.R. § 1.17, however, if the Commissioner determines that a fee is due, Applicants authorize the Commissioner to charge Deposit Account 04-0100 up to \$1,000.

Respectfully submitted,

Dated: May 5, 2004

By   
Louis J. DelJuidice

Registration No.: 47,522  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 753-6237 (Fax)  
Agent For Applicants



Application No. (if known): 09/441,834

Attorney Docket No.: 02828/000G245-US0

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. \_\_\_\_\_ in an envelope addressed to:

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EV418265450-us

on May 5, 2004  
Date

B.W. Lee  
Signature

B.W. LEE  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Petition to Invoke the Supervisory Authority of the Commissioner Under  
37 CFR 1.181 (4 pages) w/Exhibits A-E;  
Certificate of Express Mailing (1 page); and  
Return Postcard.

Return of this card properly stamped, will acknowledge receipt of:

1. Patent Application Cover Letter (2 pages)
2. Unexecuted Declaration and Power of Attorney (3 pages)
3. Specification (14 pages), Claims 1-54 (8 pages), Abstract
4. Formal Drawings (7 sheets, Figs. 1-7)

JC690 U.S. PTO  
09/441834



11/17/99

Applicant : Joseph ABOUD; Courtney DONNELL  
Serial No. : TBA  
Filed : Concurrently Herewith  
Attorney : APPARATUS FOR PROVIDING AN  
File No. : ELECTRONIC DISPLAY WITH  
Mailed : SELECTABLE VIEWING  
ORIENTATIONS  
CAR:acr  
2828/0G245

11-17-99

Mailer: DP

Return of this card properly stamped, will acknowledge receipt  
of: Transmittal Letter, Request to Withdraw Holding of Notice  
Of Abandonment; Declaration of Gabriella V. Karaszi, Inventors  
Declaration and Power of Attorney

Applicant : Joseph ABBOUD et al.

Serial No. : 09/441,834

Filed : 11/17/99

For : Apparatus For PProviding An Electronic Display  
With Selectable Viewing Orientatio

Attorney : YCC/krj

File No. : 2828/0G245

Mailed

: 1/8/01

Mailer:



**CERTIFICATE OF MAILING**

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231.

January 2, 2001 (Date of Deposit)

Sgt A. Diullo  
Date Name

Dat

Name \_\_\_\_\_

File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

Joseph ABOUD; Courtney DONNELL

Serial No.: 09/441,834

**Examiner:**

Filed: 11/17/99

## Group Art Unit:

For: APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH  
SELECTABLE VIEWING ORIENTATIONS

December 27, 2000

## **REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT**

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

Applicants in the above-referenced patent application have received a NOTICE OF ABANDONMENT, dated December 18, 2000 (copy enclosed), advising that the application is abandoned due to applicants' failure to respond to the Notice to File Missing Parts mailed on December 21, 1999.

Applicants further hereby claim **Small Entity Status** and the PTO is hereby authorized to charge all filing fees associated with this application and necessary to keep this application pending to **Darby & Darby Deposit Account No. 04-0100.**

Respectfully submitted,



\_\_\_\_\_  
Ya-Chiao Chang  
Reg. No. 43,407  
Attorney For Applicant(s)

DARBY & DARBY P.C.  
805 Third Avenue  
New York, New York 10022  
(212) 527-7700  
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231.

January 2, 2001  
1/2/01 X. DiCullo  
Date Name

File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Joseph ABOUD; Courtney DONNELL

Serial No.: 09/441,834

Examiner:

Filed: 11/17/99

Group Art Unit:

For: APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH  
SELECTABLE VIEWING ORIENTATIONS

December 28, 2000

LETTER & TRANSMITTAL OF DOCUMENTS RELATING TO REQUEST TO  
WITHDRAW HOLDING OF NOTICE OF ABANDONMENT

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

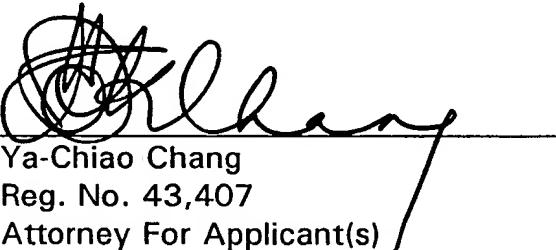
Enclosed herewith are:

1. Request To Withdraw Holding Of Notice Of Abandonment;
2. Declaration of Gabriella V. Karaszi; and
3. Executed Inventor's Declaration and Power of Attorney

A review of our file for the above application and of the Darby & Darby docketing system, both the computerized and backup manual records, indicate that the Notice to File Missing Part of December 18, 2000, was not received in these offices. Copies of both the computerized docketing record for the above-referenced application and the manual docketing records covering the period July 21, 2000, to August 21, 2000, are enclosed.<sup>1</sup> Also enclosed is a Declaration, signed by our Docketing Manager, Ms. Gabriella Karaszi, in which the procedure followed by our Docketing Department in the handling of Patent Office mail is presented.

It is respectfully requested that the Notice of Abandonment, dated December 18, 2000, be withdrawn, and that the Notice to File Missing Parts, with the period for response restarted, again be mailed to the address indicated below.

Respectfully submitted,



\_\_\_\_\_  
Ya-Chiao Chang  
Reg. No. 43,407  
Attorney For Applicant(s)

DARBY & DARBY P.C.  
805 Third Avenue  
New York, New York 10022  
(212) 527-7700  
Enclosures

M:\DOCKET\FORMS\EM6043.WPD

<sup>1</sup>Upon the receipt of an Official Action in our offices, the data regarding the application is entered on the date a response is due, which in the above case for a Notice of Missing Parts with a seven-month response date would be July 21, 2000. We have enclosed copies of the manual docketing records to show that no entry was made on July 21, 2000, nor on the following dates through August 21, 2000.

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231.

January 2, 2001 (Date of Deposit)  
Gabriella V. Karaszi (Name)

File No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Joseph ABOUD; Courtney DONNELL

Serial No.: 09/441,834                      Examiner:  
Filed: 11/17/99                              Group Art Unit:  
For: APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH  
SELECTABLE VIEWING ORIENTATIONS

-----

DECLARATION OF GABRIELLA V. KARASZI

Gabriella V. Karaszi declares and says:

1. I am the Manager of the Docketing Department at Darby & Darby, P.C.
2. I make this declaration in support of the accompanying REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT, which seeks the withdrawal of the NOTICE OF ABANDONMENT issued on December 18, 2000, in the above-referenced application.

3. When an Office Action is received from the U.S. Patent and Trademark Office, the following procedures are followed:

- a. The Records Department stamps the received date on the back of the Office Action, pulls the file and forwards it to Docketing;
- b. The period for response is determined (e.g., a response is due 3 months from the USPTO Mail Date). Any additional extensions of time that are available is determined (e.g., an additional extension of time of up to 3 additional months for a total of 6 months response time from the USPTO Mail Date is available);
- c. The response due date is entered in PATTSY (our computer maintained calendaring system), on the pertinent file cover and in the manual incoming docketing book (IDB).
- d. The Office Action is stamped with the "Due Date" stamp. The "Due Date" stamp is filled in with the 3 month date "spelled out" (e.g., September 27, 1998).
- e. The code for Action due is entered in PATTSY (i.e. RE = response due). The USPTO Mail Date is entered in PATTSY under the "Base Date". PATTSY automatically docketes the due dates up to the 6 month date;
- f. The responsible attorney's initials are noted in the upper right hand corner of the Office Action.
- g. The Office Action is checked to insure that a Claim for Priority has been acknowledged. If so, the date of the Office Action is entered in the lower right hand corner of the file under "PTO Ack."

h. The 6 month date is entered in the IDB as "SIX MONTHS" on the non-extendable six-month due date (e.g., December 27, 1998). Additionally, the responsible attorney's initials, the client's name, our reference number, and the Serial Number are also entered in the IDB in both entries.

i. The file cover is marked with the USPTO Mail Date, and the 3 month due date (spelled out, e.g., September 27, 1998). Next to this date, in parentheses, the 6 month due date is marked numerically (e.g., 12/27/98).

j. If the Office Action has attachments (i.e., references), the file is sent to Services for copying, and then forwarded to the responsible attorney. Otherwise, the file is forwarded directly to the responsible attorney.

4. Based upon my review of the IDB (attached hereto as Exhibit A, which are true copies of Darby & Darby's manual logbook dating from July 21, 2000 (i.e., the due date) to August 21, 2000, our computerized docketing system (PATTSY) (Exhibit B), and our file for Serial No. 09/441,834, the Office Action dated December 21, 1999, for the Serial No. 09/441,834 was never received by Darby & Darby.

5. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false

statements may jeopardize the validity of the application or document or any registration resulting therefrom.

  
GABRIELLA V. KARASZI  
Docketing Manager

Enclosures

DARBY & DARBY P.C.  
805 Third Avenue  
New York, New York 10022  
212-527-7700



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/441,834	11/17/1999	JOSEPH ABOUD	2828/0G245

DARBY & DARBY PC DUE  
 805 THIRD AVENUE  
 NEW YORK, NY 10022

*Petition To Revive*  
**ABANDONMENT/TERMINATION  
 LETTER**

Submitted on 12/26 by DP for  
 ██████████  
 ██████████ without file

██████████  
 \*OC000000005625581\*

Date Mailed: 12/18/2000

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/21/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

*[Signature]*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

OPER	DBP	ENTERED	10/22/99	MODIFIED	12/26/00	ATTORNEYS	MCG / AAA / PPP / YCC	PRINTED ON:	12/27/00
Darby#	0G245US0	CNTRY	US	UNITED STATES		NEW/CON	NEW	RELATED	
PATS#	P0G245US0	TYPE	UTL	SERIAL#	09/441,834	PATENT#		STAT	PENDING
TITLE	SURFTABLES						SL	YCC	
CLIENT	2828	catEye9, LLC	1	CREF		SE	yes	SLDT	12/26/00
AGENT				AREF		CLAIMS		ACCT	
PRIOR		MAIL	11/17/99	FILE	PUBL	ISSUE	EXP	1ST	

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
FS	N	FILG RCPT STATUS CHK	11/17/99	3M	2/17/00		2/17/00	0		0M	N	N	N
DS	N	INF DISCLOSURE STMT	11/17/99	3M	2/17/00	0	2/17/00	0		1M	Y	Y	N
NC	N	NOTIFY CLIENT OF FF	11/17/99	6M	5/17/00	0	5/17/00	0	5/16/00	1M	Y	Y	N
RM	N	11 MO REMINDER FF	11/17/99	11M	10/17/00		10/17/00	0	10/17/00	0M	Y	Y	Y
per TJH have instructions													
FO	N	FOREIGN FILING DUE	11/17/99	12M	11/17/00		11/17/00	0	10/25/00	2M	Y	Y	N
VV	N	PETITION TO REVIVE	12/18/00	0M	12/18/00		12/18/00	0		0M	Y	Y	N

RETURN OF THIS CARD PROPERLY STAMPED, WILL  
ACKNOWLEDGE RECEIPT OF: FOLLOW-UP STATUS REQUEST

APPLICANT : JOSEPH ABOUD ET AL.  
SERIAL NO. : 09/441,834  
FILED : 11/17/99  
FOR : APPARATUS FOR PROVIDING AN ELECTRONIC  
DISPLAY WITH SELECTABLE VIEWING ORIENTATIO

ATTORNEY : YCC/KRJ  
FILE NO. : 2828/0G245

MAILED : 9/18/01

MAILER: *JR*

*EV000505159-VS*

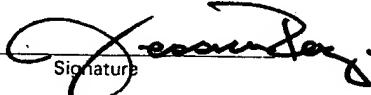
## EXPRESS MAIL CERTIFICATE

Date 9/18/01 Label No. E000505159-US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Jessica Rojas

Name (Print)



Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR  
CREDIT ANY EXCESS IN THE FEES DUE WITH THIS  
DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 2828/0G245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph ABOUD et al.

Serial No.: 09/441,834

Art Unit: To Be Assigned

Confirmation No.:

Filed: November 17, 1999

Examiner: To Be Assigned

For: SURFTABLES

FOLLOW-UP STATUS REQUEST

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

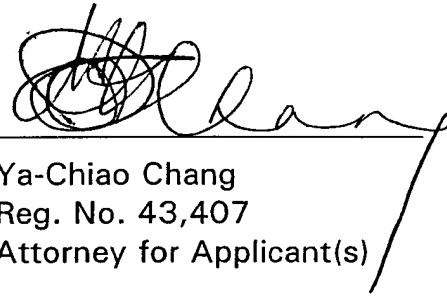
Sir:

To date, we have received no communication or official action regarding the Request to Withdraw Holding of Abandonment filed on January 2, 2001 from the Examiner in charge of the above-identified patent application. Pursuant to a Status Reply Letter postmarked and mailed September 5, 2001 (copy attached), the Customer Service Office of the U.S. Patent and Trademark Office indicated that the above application was abandoned on February 23, 2000 for non-response to the Notice of

Incomplete Application under 37 C.F.R. 53b, but did not indicate when an Official Action is anticipated regarding the Request to Withdraw Holding of Abandonment filed on January 2, 2001 (copy attached). Also enclosed is a copy of the receipt confirmation dated July 11, 2001 (via telecopier) by the Customer Service Office of the U.S. Patent and Trademark Office for receipt of the Request to Withdraw Holding of Abandonment filed on January 2, 2001.

Please let us know the status and anticipated date of Official Action by the Examiner in charge of this application regarding the Request to Withdraw Holding of Abandonment filed on January 2, 2001.

Respectfully submitted,



Ya-Chiao Chang  
Reg. No. 43,407  
Attorney for Applicant(s)

Dated: September 17, 2001

DARBY & DARBY P.C.  
805 Third Avenue  
New York, New York 10022  
212-527-7700

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	6163
CONNECTION TEL	
SUBADDRESS	
CONNECTION ID	DARBY&DARBY
ST. TIME	10/24 13:01
USAGE T	18'58
PGS.	47
RESULT	OK

RECEIVED  
OCT 24 2001  
CSC  
Technology Center 2000

Jennifer Amedon

---

**Jennifer Omundson**  
**United States Patent and Trademark Office**  
**Customer Service Center, Technology Center 2800**

**Phone 703/306-3329**  
**Fax 703/306-5515**

---

**Date:** 10-24-01

**To:** Louis DelJuidice

**Recipient Fax #:** (212) 753-6237

**Total # of pages-including cover sheet:** 2

**From:** Jennifer Omundson

**Memo:** Confirmation of Rec'd fax.  
09/441,834

Thanks,

Jennifer Omundson

Customer Service Representative.

---

**FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX\*FAX**

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO 4405  
CONNECTION TEL 17033065515  
SUBADDRESS  
CONNECTION ID  
ST. TIME 10/24 12:59  
USAGE T 18'42  
PGS. SENT 47  
RESULT OK

L. DelJuidice

DARBY &  
DARBY

805 Third Avenue  
New York, NY 10022  
Tel: (212) 527-7700  
Fax: (212) 753-6237

ATTORNEY DOCKET NO.: 2828/0G245

DATE: October 24, 2001

**TELECOPIER TRANSMISSION COVER SHEET**

NUMBER TRANSMITTING TO: 703-306-5515

TO: **United States Patent and Trademark Office**

EXAMINER: Jennifer Omundson

ART UNIT: 2876

FROM: Louis DelJuidice  
Telephone : 212-527-7791

PAPER(S) BEING TRANSMITTED: Fax Receipt dated July 11, 2001; Return Postcard, Request to Withdraw Holding of Notice of Abandonment, Letter and Transmittal of Documents Relating to Request to Withdraw Holding of Notice of Abandonment, Declaration of Gabriella V. Karaszi, Inventors Declaration and Power of Attorney all filed on January 2, 2001

NO. OF PAGES (INCLUDING COVER SHEET): 48

DARBY &  
DARBY

805 Third Avenue  
New York, NY 10022  
Tel: (212) 527-7700  
Fax: (212) 753-6237

ATTORNEY DOCKET NO.: 2828/0G245

DATE: October 24, 2001

**TELECOPIER TRANSMISSION COVER SHEET**

NUMBER TRANSMITTING TO: 703-306-5515

TO: **United States Patent and Trademark Office**

EXAMINER: Jennifer Omundson

ART UNIT: 2876

FROM: Louis DelJuidice  
Telephone : 212-527-7791

PAPER(S) BEING TRANSMITTED: Fax Receipt dated July 11, 2001; Return Postcard, Request to Withdraw Holding of Notice of Abandonment, Letter and Transmittal of Documents Relating to Request to Withdraw Holding of Notice of Abandonment, Declaration of Gabriella V. Karaszi, Inventors Declaration and Power of Attorney all filed on January 2, 2001

NO. OF PAGES (INCLUDING COVER SHEET): 48

COMMENTS:

Jennifer, it was a pleasure speaking to you today. Enclosed please find a copy of the papers we sent the Patent Office on January 2, 2001 and the confirmation fax from your office dated July 11, 2001 from when we resent the above papers.

Please confirm receipt of these papers by return fax to 212-753-6237.

Thank you for your prompt assistance.

TO: LJD  
ATTY REVIEWED LJD  
DATE: 11/16/01



2828/0G245

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY OF COMMERCE AND  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, DC 2023

November 2, 2001

Ya-Chiao Chang  
Darby & Darby  
805 Third Ave.  
New York, New York 10022

In re application of:

R. Cheston et al DECISION ON PETITION

Serial No.: 09/441,834

Filed: November 17, 1999

For: APPARATUS FOR PROCIDING AN ELECTRONIC DISPLAY WITH  
SELECTABLE VIEWING ORIENTATIONS

This is a decision on the faxed petition received October 24, 2001, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed December 21, 1999. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned February 23, 2000. A notice of abandonment was mailed on December 18, 2000.

On October 21, 2001, the office received a communication from the attorney of record. Enclosed was an acknowledgment that counsel had not received the Notice of Missing Parts mailed December 21, 1999.

The evidence submitted is sufficient to establish that the petitioners did not receive the Notice of Missing Parts mailed December 21, 1999.

The petition is GRANTED.

The Notice of Appeal and Extension fees have been credited to deposit account 04-0100.

The processing fee of \$751 will charge to your deposit account to complete the above application.

The application has been completed for release to Technology Center 2786.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.



Doshie E. Day  
Program Management Assistant  
Office Initial Patent Examination



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/441,834	11/02/2001	2876	751	2828/0G245	7	54	2

**CONFIRMATION NO. 5093  
 REPLACEMENT FILING RECEIPT**

DARBY & DARBY PC  
 805 THIRD AVENUE  
 NEW YORK, NY 10022



\*OC00000006562529\*

Date Mailed: 11/02/2001

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**Applicant(s)**

JOSEPH ABOUD, BELLEVUE, NE;  
 COURTNEY DONNELL, BELLEVUE, NE;

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

**If Required, Foreign Filing License Granted 12/13/1999**

**Projected Publication Date:** WDAB

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

APPARATUS FOR PROVIDING AN ELECTRONIC DISPLAY WITH SELECTABLE VIEWING ORIENTATIONS

**Preliminary Class**

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